

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Mark C. Myrhum, et al.
Application No.: 10/053,797
Group Art Unit: 3711
Filing Date: January 18, 2002
Examiner: Blau, Stephen Luther
For: GOLF CLUB WOODS WITH WOOD CLUB
HEAD HAVING A SELECTABLE CENTER
OF GRAVITY AND A SELECTABLE SHAFT

Via EFS

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

First, Applicant would like to thank the Examiner for meeting with Applicant's representatives on December 3, 2007. As the Examiner's interview Summary notes, the applicability of certain prior art and the deference between that prior art and Applicant's claims was discussed as well as any obviousness implications. In particular, with respect to claims 94-107, the Ashcraft prior art was discussed. Applicant's representatives pointed out that in the prior art, removable heads were used to adjust for hooks and slices and that one known way to achieve this was to adjust lie angle. Whereas in Applicant's systems and methods as claimed, the goal is not to correct for hooks and slices but to optimally fit, in a fast and efficient manner a golfer with golf equipment. Accordingly, Applicant's claims reflect this difference.

Second, the following is a response to the Examiner's Action dated September 28, 2007. A Petition for a three month extension of time is being filed concurrently herewith making this response timely filed within four months of the mailing date.

The Restriction Requirement indicates that the Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for each group for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The Examiner deems claims 74-84, 94 and 98-104 to be generic.

Applicants hereby elect claims 95-96 and 105 for prosecution on the merits. Applicants expressly reserve the right under 35 U.S.C. § 121 to file one or more divisional or continuation applications directed to the nonelected subject matter during the pendency of this application, or an application claiming the benefit of this application under 35 U.S.C. § 120.

Applicant respectfully submits that pending claims 74-84, 94-96, and 98-105 are in condition for consideration and examination. The Commissioner is hereby authorized to charge any fees or credit any over payments due with this response to deposit account 13-0480 referencing attorney docket number 67175523.001101.

Respectfully Submitted,

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Date: January 28, 2008

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